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To Participate in Public Comment, please email to [comments@jaspercountysc.gov](mailto:comments@jaspercountysc.gov) or mail to Attn: Clerk to Council P.O. Box 1149 Ridgeland, SC 29936. To be called for public Comment, please email at the mentioned email address. **\*Public Comments must be submitted by Monday, January 4, 2021 at 6:00pm.\***

Instructions may also be found at the Jasper County website [www.jaspercountysc.gov](http://www.jaspercountysc.gov)

FOR MORE INFORMATION, PLEASE CALL (843) 717-3696



**JASPER COUNTY COUNCIL  
VIRTUAL MEETING**

**Jasper County Clementa C. Pinckney Government Bldg  
358 3<sup>rd</sup> Avenue Ridgeland, SC 29936**

**January 4, 2021  
AGENDA**

**6:30 P.M.**

**I. Call to Order by Vice Chairwoman Clark\***

*Clerk's Report of Compliance with the Freedom of Information Act.*

**II. Pledge of Allegiance**

**III. Invocation**

**IV. Introduction of New Members**

- **Replay of videos from the Swearing In Ceremonies**

**IV. Election of Officers**

**A. Andrew Fulghum – Election of Chairman**

**B. Chairman – Election of Vice Chairman**

**V. Approval of Agenda**

**VI. Approval of the Minutes of December 7, 2020.**

**VII. Adoption of the 2021 County Council Meeting Schedule**

**VIII. Presentations or Proclamations - None**

**IX. Open Floor to the Public per Ordinance 08-17 any citizen of the County may sign to speak before the Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes and total public input will be limited to 30 minutes.**

*\*Please submit Public Comments via email at [comments@jaspercountysc.gov](mailto:comments@jaspercountysc.gov) or via US Mail at Attention: Clerk to Council P.O. Box 1149 Ridgeland, SC 29936. If you would like to be contacted by phone during Open Floor, please email your name, address and phone number to the email address listed above.*

**X. Resolution:**

**A. [Kimberly Burgess](#) – A resolution to set the fees for a Peddlers and Hawkers License Section 40-41-30 South Carolina Code**

**XI. Ordinances:**

**A: Lisa Wagner** – Consideration of the 1<sup>st</sup> reading of an ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 040-00-02-094 from the Residential Zone and Community Commercial Zone to the Community Commercial Zone on the Jasper County Official Zoning Map.

**B: Lisa Wagner** – Consideration of the 1<sup>st</sup> reading of an ordinance to amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 038-00-01-001 from the Residential Zone and Community Commercial Zone to the Community Commercial Zone on the Jasper County Official Zoning Map

**XII. New Business**

**A: Kimberly Burgess** – Presentation of bids for rock.

**XIII. Old Business - None**

**XIV. Council Members Comments**

**XV. Administrator's Report**

**XVI. Executive Session**

**SECTION 30-4-70. Meetings which may be closed; procedure; circumvention of chapter; disruption of meeting; executive sessions of General Assembly.**

**(a) A public body may hold a meeting closed to the public for one or more of the following reasons:**

- (1) Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body – Coroner**
- (2) Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, the receipt of legal advice where the legal advice related to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim – Sections 30-4-70(a)(2) – Replacement Metal Castings Inc.; Nickel Plate MCIP**

**XVII. Return to regular session\***

**XVII. Adjourn**

**\*Council may act on any item appearing on the agenda including items discussed in executive session.**

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the meeting was posted on the County Council Building at a publicly accessible place and on the county website at least 24 hours prior to the meeting. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours prior to the meeting.

**Special Accommodations Available Upon Request to Individuals with Disabilities**  
**(843) 717-3696**

# AGENDA ITEM:

X

Resolution

**STATE OF SOUTH CAROLINA**  
**COUNTY OF JASPER**  
**RESOLUTION NO. 2021-\_\_**

**A RESOLUTION RELATING TO THE BUSINESS AND LICENSURE OF PEDDLERS  
AND HAWKERS.**

WHEREAS, S. C. Code of Laws Section 40-41-10, *et seq.*, provides that no person shall as a hawker or peddler expose or sell any goods, wares and merchandise in any county in this State unless he has received and is ready to produce and exhibit a license of such county so to sell or expose for sale goods, wares and merchandise in such county; and

WHEREAS, S. C. Code of Laws Section 40-41-30 provides that the governing body of each county shall fix and establish such fees in its county at the first meeting in January of each year; and

WHEREAS, S. C. Code of Laws Section 40-41-90 provides for an exemption from the provisions of Chapter 41, Article 1, except for the provisions of Sections 40-14-70 and 40-41-100 (regarding sales within one-half mile of certain religious meetings and penalties), to vendors of newspapers, magazines, vegetables, tobacco, provisions of any kind or agricultural products or to sales by sample by persons traveling for established commercial houses, but provides for applicability to vendors of every other class and kind of goods, wares and merchandise and to sales by sample or otherwise by such hawkers and peddlers of stoves, ranges, clocks, lightning rods, sewing machines, pianos or organs; and

WHEREAS, Jasper County Council adopted a Business License Ordinance, codified at Section 8-31 of the County Code of Ordinances, which incorporates in Section 8-51 a Business License Schedule identified as "Exhibit B;" and

WHEREAS, Appendix B establishes a general classification as Class 8.6 "NAICS CODE 454390 *Peddlers, Solicitors, Canvassers, Door to Door Sales* which includes rates for both resident and non-residents; and

WHEREAS, Jasper County wishes to allow peddlers, hawkers and solicitors to operate only under prescribed conditions in accordance with the aforementioned statute, and

confirm by Resolution the applicable fees for hawkers and peddlers;

NOW, THEREFORE, BE IT RESOLVED, by Jasper County Council, in a meeting duly assembled, as follows:

**Section 1 - Definitions:**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this Resolution, except where the context clearly indicates a different meaning:

- a) "Peddler" means any person who goes from house to house or from place to place soliciting, selling or taking orders for or offering to sell or take orders for any goods, wares, merchandise, or services; except vendors of newspapers, magazines, vegetables, tobacco, provisions of any kind or agricultural products, to sales by sample by persons traveling for established commercial houses, or any other vendor specifically exempted by State Statute, and includes those who may otherwise be identified as "hawkers" or "solicitors."
- b) "County" means the County of Jasper.
- c) "License official" means a person designated to administer the County Business License program.
- d) "Person" means any individual, firm, partnership, LLP, LLC, cooperative non-profit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company or other group or combination acting as unit, in the singular or plural, and the agent or employee having charge or control of a business in the absence of the principals.
- e) "Profession" means a calling, occupation, or activity engaged in with the object of gain, benefit or advantage, either directly or indirectly.

**Section 2 - License and fee:** Every Person engaged in or intending to engage in the Profession of Peddler, in whole or in part, within Jasper County, is required to pay an annual license fee to obtain a license.

- a) The required license fee shall be paid for each Peddler before commencing business and will be good in the County until the last day of December next after the date of issue.

- b) The license fee per Peddler shall be as follows for Persons with a principal place of business as provided for under the Business License Ordinance:
1. Resident: \$50.00 on the first \$2,000.00 of gross sales, plus \$0.75 per \$1,000.00, or fraction thereof, over \$2,000.00
  2. Non-Resident: \$100.00 on the first \$2,000.00 of gross sales, plus \$1.00 per \$1,000.00, or fraction thereof, over \$2,000.00

Section 3 - Application for Peddler license: Any Person may apply for one or more Peddler licenses at the Clerk of Court' Office, or upon receipt by the Jasper County Administrator of a letter from the Clerk of Court requesting to delegate the administration the Peddler license program to the County License Official's office and a confirmation by the Administrator of such responsibilities, at the Jasper County Business License Office (in-person or on-line). The Clerk of Court, or in the case there has been a delegation of authority, the Business License Office, shall issue such permit upon payment of the applicable fee.

Adopted this 4<sup>th</sup> Day of January, 2021

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, Chairman

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Wanda Simmons, Clerk to Council

Approved as to Form:

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David L. Tedder, Jasper County Attorney

# AGENDA ITEM:

## XI-A

Ordinance item A

**STATE OF SOUTH CAROLINA  
COUNTY OF JASPER**

**ORDINANCE: 2020-\_\_\_\_\_**

**AN ORDINANCE  
OF JASPER COUNTY COUNCIL**

To amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 040-00-02-094 from the Residential Zone and Community Commercial Zone to the Community Commercial Zone on the Jasper County Official Zoning Map.

**WHEREAS**, the owner of the parcel consisting of approximately 3.09 acres bearing Jasper County Tax Map Numbers 040-00-02-094, located at 12336 Speedway Boulevard has requested rezoning of the parcel on the Official Zoning Map of Jasper County from the Residential Zone and Community Commercial Zone to the Community Commercial Zone and the property owner submitted that request to the Jasper County Planning Commission and County Council; and

**WHEREAS**, the Jasper County Planning Commission has concurred with the recommendations of the staff report as reflected in this Ordinance and recommends denial by Council; and

**WHEREAS**, this matter is now before the Jasper County Council for determination;

**NOW THEREFORE BE IT ORDAINED**, by the Jasper County Council in council duly convened and by the authority of the same:

1. Jasper County Council finds that in accordance with the staff report and the recommendation of the Planning Commission, the proposed zoning is consistent with the continued pattern of growth in the vicinity, and is in

harmony with the Jasper County Comprehensive Plan. Good cause having been shown, approximately 3.09 acres bearing Jasper County Tax Map Number 040-00-02-094, located along 12336 Speedway Boulevard, and depicted on the Jasper County Official Zoning Map in the Residential Zone and Community Commercial Zone is hereby transferred to the Community Commercial Zone.

2. This ordinance shall take effect upon approval by Council.

\_\_\_\_\_  
**Mr. Henry Etheridge**  
**Chairman**

**ATTEST:**

\_\_\_\_\_  
**Wanda Simmons**  
**Clerk to Council**

**ORDINANCE: # 2020-\_\_**

**First Reading: January 4, 2021**

**Second Reading: \_\_\_\_\_**

**Public Hearing: \_\_\_\_\_**

**Adopted: \_\_\_\_\_**

\_\_\_\_\_  
Considered by the Jasper County Planning Commission at it's meeting on  
December 8, 2020 and recommended for approval.  
\_\_\_\_\_

Reviewed for form and draftsmanship by the Jasper County Attorney.

\_\_\_\_\_  
**David Tedder**

\_\_\_\_\_  
**Date**

# AGENDA ITEM:

## XI-B

Ordinance item B

**STATE OF SOUTH CAROLINA  
COUNTY OF JASPER**

**ORDINANCE: 2020-\_\_\_\_\_**

**AN ORDINANCE  
OF JASPER COUNTY COUNCIL**

To amend the Official Zoning Map of Jasper County so as to transfer a property bearing Jasper County Tax Map Number 038-00-01-001 from the Residential Zone and Community Commercial Zone to the Community Commercial Zone on the Jasper County Official Zoning Map.

**WHEREAS**, the owner of the parcel consisting of approximately 24.04 acres bearing Jasper County Tax Map Numbers 038-00-01-001, located along Alligator Aly has requested rezoning of the parcel on the Official Zoning Map of Jasper County from the Residential Zone and Community Commercial Zone to the Community Commercial Zone and the property owner submitted that request to the Jasper County Planning Commission and County Council; and

**WHEREAS**, the Jasper County Planning Commission has concurred with the recommendations of the staff report as reflected in this Ordinance and recommends denial by Council; and

**WHEREAS**, this matter is now before the Jasper County Council for determination;

**NOW THEREFORE BE IT ORDAINED**, by the Jasper County Council in council duly convened and by the authority of the same:

1. Jasper County Council finds that in accordance with the staff report and the recommendation of the Planning Commission, the proposed zoning is consistent with the continued pattern of growth in the vicinity, and is in

harmony with the Jasper County Comprehensive Plan. Good cause having been shown, approximately 24.04 acres bearing Jasper County Tax Map Number 038-00-01-001, located along Alligator Aly, and depicted on the Jasper County Official Zoning Map in the Residential Zone and Community Commercial Zone is hereby transferred to the Community Commercial Zone.

2. This ordinance shall take effect upon approval by Council.

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**Mr. Henry Etheridge**  
**Chairman**

**ATTEST:**

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**Wanda Simmons**  
**Clerk to Council**

**ORDINANCE: # 2020-\_\_**

**First Reading:** January 4, 2021

**Second Reading:** \_\_\_\_\_

**Public Hearing:** \_\_\_\_\_

**Adopted:** \_\_\_\_\_

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Considered by the Jasper County Planning Commission at it's meeting on  
December 8, 2020 and recommended for approval.

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Reviewed for form and draftsmanship by the Jasper County Attorney.

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**David Tedder**

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**Date**